HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1280 of 2003 (SS)

1. Ravish Kumar s/o Sri Brahm Singh r/o village Jaitpur P.O. Laksar, Tehsil Laksar, District Haridwar
2. Satish Kumar s/o Sri Bool Chand, r/o village Pherpur (Ramkhera) P.O. Dhanpura, District Haridwar
3. Tarun Kumar s/o Sri Chandra Prakash r/o Tehsil Colony, District Haridwar
4. Vijai Kumar s/o Sri Anand Kumar c/o Gopal Ram, Local Military Head Quarter, Army Cantt. Haldwani, P.O. Bhotia Parao, District Nainital
5. Khushi Lal s/o Sri Sundru Mistry r/o village Gaddi ka Marora, P.O. Garakot, Tehsil & District Tehri Garhwal

..... Petitioners

Versus

1. State of Uttaranchal
2. Secretary Department of Appointment & Personnel, Uttaranchal Shasan, Dehradun ..... Respondents

Sri Vivek Shukla, Advocate for the petitioners
Standing Counsel for the respondents.

Dated: 21.8.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Vivek Shukla counsel for the petitioners and the Standing Counsel for the respondents.

By the present writ petition, the petitioners have prayed for a writ of mandamus commanding the respondent no. 2 to absorb the petitioner in other Government Departments in accordance with U.P. Absorption of Retrenched Employees of Government or Public Corporations in Government Services Rules 1991.

According to the petitioners they were employed in the Census Offices under the District Magistrates in State of Uttaranchal. Their services were discontinued since 31.5.2001

on the ground that census operations have been completed and their services were no more required. According to the petitioners, at present there are large number of vacancies in Class III and Class IV in the Government offices in Uttaranchal and they can easily be absorbed against the vacant posts under U.P. Absorption of Retrenched Employees of Government or Public corporation in Govt. Services Rules 1991.

In view of the above, the petitioners are at liberty to file a fresh representation to the appropriate authority of the Government, who shall consider the appointment of the petitioners against vacant posts in Government Departments in accordance with the provisions made under U.P. Absorption of Retrenched Employees of Government or Public corporation in Govt. Service Rules 1991, within three months after receipt of the representation.

Accordingly, writ petition is disposed of. No order as to costs.

Dated: 21.8.2006 **Rajesh Tandon, J.**

*Dhyani